Comments re: CG Docket No. 10-51 and CG Docket No. 03-123

Perception versus Reality

Often, when I read information from the FCC itself and filings to the FCC from VRS providers, I am struck by the disconnect between (1) the perceived and declared versions of VRS and (2) the reality of VRS. The two largest groups of people associated with the VRS industry are D/deaf individuals and interpreters, and yet, it is rare to see original comments filed with the FCC from individuals of either group. There seem to be two reasons for this. (1) The FCC does not yet connect with D/deaf people in a format and language that is easily accessible to them. (2) VRS Interpreters may fear reprisals from their VRS employers should interpreters voice concerns in a public forum. In regard to the former, the FCC already has a resource in Greg Hlibok who could help to devise a means to connect with D/deaf individuals and groups to ascertain the true feelings of D/deaf consumers about VRS and about the quality of VRS interpreters. As to the latter, I encourage the FCC to develop a survey—using input from some VRS interpreters—to then query VRS interpreters across the country as to the current reality of VRS in terms of working conditions, training, functional equivalence, use of resources, etc.

CA Qualifications

VRS Interpreting has been characterized as the most difficult type of interpreting. There are myriad reasons for this. It has most of the challenges of on-site interpreting but also has other complexities related to technology, to parties of the call being geographically separated from one another, to the interpreter often not knowing what the topic of the call will be, and so on. Not all interpreters are suited for or capable of working well in such an arena. In addition, once an interpreter undergoes initial training as to the technological aspects of processing VRS calls, he or she may never receive formal, human-to-human training or support from the VRS provider about how to effectively and accurately interpret in the challenge of the VRS environment.

Because VRS Interpreters are processing calls from across the nation, they should be nationally certified so that callers can know whom to contact regarding comments and complaints about the interpreter's performance or certification. Currently, a Deaf caller from Wyoming, for example, has no way of filing a grievance against a VRS interpreter's certification or licensure from another state because he cannot get the certifying or licensure information from the VRS interpreter or from the VRS provider. Even if he could get the state-license information for the VRS interpreter, it would be difficult to file a grievance in a state having an interpreter certification system with which he is unfamiliar. Not all states even have an interpreter certification system.

The National Registry of Interpreters for the Deaf (RID) is currently the only national certifying entity for sign language interpreters in the U.S. It is not without its flaws. RID

certification does not guarantee that an interpreter has the high degree of proficiency and fluency that is required to fulfill the FCC's mandate of functional equivalence for VRS. While national certification for VRS interpreters should be required, it is not enough. VRS interpreters should also be evaluated on an on-going basis regarding their fluency, interpretation skills, and cultural awareness. Objective assessment of an interpreter's fluency and interpretation abilities is possible using back-interpretations, for example, paralleling the back-translation tool common to the field of translation. In addition, an interpreter's American Sign Language fluency can be assessed objectively in respect to linear sentence length, the use or absence of ghost subjects, the use or absence of constructed action, the prevalence of using adjectives versus verbs for conveying descriptive information, and so on.

A particularly unsettling fact about the current state of the VRS industry is that while less experienced and less skilled interpreters are cheaper to hire and to employ, the shortcomings in their performance can result in yet additional monetary benefit for VRS providers in the way of increased compensable minutes. When an interpreter has difficulty in either understanding the source language or rendering the target language during an interpretation, there is an increased likelihood of interpretation errors being committed. If these errors are recognized by the interpreter, more time is needed for the interpreter to then repair the errors. In VRS, this would result in an increased number of compensable minutes for a call. If such errors are not recognized by the interpreter, the communication may degrade, causing the two parties to use more explanation and questions to understand each other. In VRS, this, too, would result in a greater number of compensable minutes for a call. If the errors go unnoticed, the content of the conversation is skewed and can result in anything from a minor annoyance to a tragedy. In VRS, if the interpreter decided to relinquish the call to another interpreter or if the caller(s) requested a different interpreter, some backtracking would likely be needed once the other interpreter stepped in. This also would result in more compensable minutes for the call. Whether this phenomenon serves as an incentive in VRS to hire less skilled interpreters or not, it provides an unintended benefit for doing so.

Skill-Based Routing

Video callers should have the option to save VRS interpreter numbers in their videophones, each creating a personal list of their preferred interpreters based on overall proficiency and knowledge of specific topics such as medical, business, etc. When placing a call, they could then choose (1) to accept the next available interpreter or (2) to wait longer for one of their preferred interpreters to become available. Moreover, VRS providers could use this type of system as one tool among others to assess the performance of their interpreters. Privacy and security measures would be required to protect the interpreters, however. Interpreters would need to have the option each day as to whether or not they wished to be available for Preferred Interpreter status. They would also need the ability, at their discretion, to decline being available as a Preferred Interpreter to specific callers.

Disaggregation of Emergency Calls to 911

Dedicated teams of VRS interpreters should field 911 calls. The disparity of skill level among VRS interpreters and the gravity of 911 calls require that the most fluent and skilled interpreters handle these emergency calls.

Non-Competition Agreements in VRS CA Employment Contracts

The removal of non-competition agreements from VRS Interpreters' employment contracts would likely result in improved working conditions for VRS Interpreters and, subsequently, in increased recruitment of high-level, more experienced interpreters. Both results would support the FCC's mandate for functional equivalence.

CAs Working from Home Environments During Overnight Hours

Although the safety concerns of interpreters working during overnight hours are legitimate, allowing late-night VRS interpreters to work from home is not the answer. The confidentiality of call content could be compromised easily in an unsupervised, home environment.

Again, Perception versus Reality

In this and past writings about CAs working from home, the FCC's perception of VRS appears to be contrary to the reality of VRS. It would seem that the FCC is under the impression that VRS interpreters always work in call centers with a supervisor and other interpreters present. More detailed information from the FCC is needed about its expectations regarding interpreters (1) working in call centers alone and (2) working in a call center without a supervisor present.

Thank you for considering this VRS interpreter's perspective.

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